



COPY OF PAPERS
ORIGINALLY FILED

Ref 2877
#4
L
04/05/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: E. Gross et al.	Atty. Docket No.: TXY-008.01
Serial No.: 09/932,210	Examiner: To be Assigned
Filing Date: August 17, 2001	Art Unit: 2877
Title: <i>Optical Probes and Methods for Spectral Analysis</i>	

Certificate of First Class Mailing

I hereby certify that the instant "*Information Disclosure Statement*" is being deposited on the date set forth below with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

February 5, 2002
Date of Signature and Mail Deposit

By: Henry Soohoo
Henry Soohoo

RECEIVED
MAR-6 2002
TC 2800 MAIL ROOM

Commissioner for Patents
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97 (b)(3)

Sir:

In compliance with the requirements of 37 C.F.R. 1.56, submitted herewith on Form PTO-1449, is a list of documents. A copy of each publicly available document is also being submitted herewith.

Applicants respectfully request that the Examiner consider the listed documents and indicate they were considered by making appropriate notations on the attached Form 1449.

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the cited documents are material or constitute "prior art." If the Examiner applies the listed documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under

United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said documents.

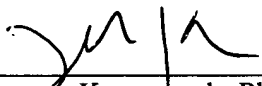
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or all of the referenced documents be applied against the claims of the present application.

Under 37 C.F.R. §1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 C.F.R. 1.17(p) to our **Deposit Order Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1197.

Respectfully Submitted,

Date: February 5, 2002
Customer No. 25181
Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109-2170



Theresa Kavanaugh, Ph.D.
Reg. No. P-50,356
Attorney for Applicants